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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION NO. 14 OF 2004

S.M. Adhate ... Petitioner

V/s

State of Maharashtra & ors. ... Respondents

Mr. Madhav Jamdar for the petitioner.

Mr. V.P.Malwankar, A.G.P. for Resp.Nos. 1, 4 and 5.
Mr. V.G.Mujumdar for respondent Nos. 2 and 3.
Mr. M.V.Limaye with Mr.R.S.Apte for Resp. Nos.7 & 8.

CORAM: J.N. PATEL &
SMT. NISHITA MHATRE, JJ.

DATED: 21ST NOVEMBER, 2007.

P.C.:

1. This petition has been filed seeking a direction from this Court to remove an illegal and unauthorized structure erected by a Public Trust, respondent No.7, on the premises of the Government Polytechnic, Pune. The structure was re-erected by respondent No.7 in complete defiance of orders of this Court in an earlier petition, pursuant to which it had been demolished.

2. The structure has now been demolished again consequent upon orders being passed in the present petition. The affidavit filed by the Sub-Divisional

Officer, Pune Sub-Division, Pune on behalf of the Collector, Pune, as directed by the order of this Court dated 31.10.2007, reveals this fact. The letter dated 15.11.2007 from the Zonal Officer, Pune Municipal Corporation, handing over possession of the vacant land to the Principal, Government Polytechnic, Pune, has been annexed to this affidavit. The letter from the Principal, Government Polytechnic, Pune to the Collector, Pune, which is annexed as Annexure-B to this affidavit, confirms the demolition of the structure. The Sub-Divisional Officer has further stated in his affidavit that the Public Works Department has started construction of the compound wall after demolition of the unauthorized structure. The learned A.G.P. states that the construction of the compound wall will be completed within a period of four weeks from today. We accept the statement made by the learned A.G.P.

3. The petition is accordingly disposed of.

4. We clarify that the other directions contained in the order dated 31.10.2007 shall be complied by the respondents.

(J.N. PATEL, J.)

(SMT. NISHITA MHATRE, J.)